GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Sri A.Poornachandra Rao, Sub Registrar (Retired), Nuzividu – Disciplinary action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 – Show Cause Notice Issued – Representation Submitted – concurrence of the Andhra Pradesh Public Service Commission obtained – punishment of 25% cut in pension permanently imposed – Revision petition filed – Allowed - punishment reduced to 10% cut in pension for a period of 5 years – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.1060 Dt:27-10-2015

Read the following:

1. DG, ACB Lr.Rc.No.34/DES-VKI/2010, dated:29-10-2010
2. Govt., Memo.No.50745/Vig.VI(1)/2010-1, dated:12-1-2011.
3. DIG, R&S, Vijayawada Charge Memo.No.E1/139/2010, dated:1-3-2011.
4. DIG, R&S, Vijayawada Memo.No.E1/139/2010, dated:6-4-2011.
5. DIG, R&S, Vijayawada, Lr.No.Supdt./139/ 2010, dated: 23.02.2012 along with Enquiry Report.
6. C&IG, R&S, AP, Hyderabad, Lr.No.Vig.3/8433/2010, dated: 09.04.2012.
7. Govt.Memo.No.50745/Vig.VI (1)/2010-2, dated: 06.07.2012.
8. DIG, R&S, Vijayawada, Lr.No.Supdt./139/ 2010, dated:31.01.2013 (along with explanation of the CO)
9. C&IG, R&S, AP, Hyderabad, Lr.No.Vig.3/8433/2010, dated: 27.02.2013.
10. C&IG, R&S, AP, Hyderabad, Lr.No.Vig.3/8433/2010, dated: 24.07.2013.
11. C&IG Letter.No.Vig.3/8433/2010, Dt.16.05.2014 along with letter of DIG, R&S, Vijayawada, dated:21.02.2014.
12. Govt., Memo.No.50745/Vig.II(1)/2010-5, dated:25-4-2014
13. G.O.Rt.No.769, Rev.Vig(II) Deptt., dt:30-8-2014.
14. Representation of Sri A.Poornachandra Rao, SR (Retd.)dated:10-6-2014 through the C&IG, R&S, AP., Hyd.
15. Govt., Lr.No.50745/Vig.II(1)/2010-7, dated:18-10-2014.
16. Secretary, APPSC, Hyd., Lr.No.1231/RT/1/2014, dated:01-12-2014.
17. G.O.Rt.No.1156, Rev (Vig-II) Deptt., dated:29-12-2014.
18. Revision Petition of Sri A.Poornachandra Rao, former SR (Retired) dated:27-1-2015.
19. Govt., Lr.No.50745/Vig.II(1)/2010-8, dated:31-07-2-2015.
20. Principal Secretary, APPSC Lr.No.674/DC&C/1/2010, dated:30-09-2015.

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ORDER:

Whereas, in the reference 1st read above, it was brought to the notice of Government that a surprise check was conducted by the Anti Corruption Bureau over the office of the Sub Registrar, Nuzividu, Krishna District on 07-06-2010 and found certain irregularities and recommended to initiate departmental action for major penalty against Sri A.Poornachandra Rao, Sub Registrar (now Retired) and two others.

2. In the reference 3rd read above, the Disciplinary Authority i.e., Deputy Inspector General, Registration & Stamps, Vijayawada has initiated disciplinary proceedings against Sri A.Poornachandra Rao, Sub Registrar (now Retired from service) duly framing the following charge as per the directions of Government in the reference 2nd read above among two others.

Charge against Sri A.Poornachandra Rao, Sub Registrar

"He while functioning as Sub Registrar, Nuzividu, Krishna District committed grave misconduct in as much as he is abused of his official position during the surprise check, it was found that the G.S. (1) engaged and allowed a private person to collect excess amounts / bribes on his behalf from the members of public who approach him for registration of documents and other official favours and on his direction, a private person Collected an amount of Rs.5,450/- on the day of surprise check on 07.06.2010 from the members of public as illegal gratification. (2) was found with an un-accounted cash of Rs.12,000/- near his the right leg on

the floor near his office chair on the raised podium the presence of which could not be explained and (3) failed to maintain Account 'A' Register and Account 'D' Register (General search application forms) properly in the office of Sub Registrar Office, Nuzividu on 07.06.2010 and failed to maintain integrity in violation of the provision of Andhra Pradesh Civil Services (Conduct) Rules, 1964."

3. Having not convinced with the Written Statement of Defence submitted by the Charged Officer's, the Deputy Inspector General, Registration & Stamps, Vijayawada has appointed District Registrar (Market Value & Audit), Vijayawada, as Inquiring Authority in the reference 4th read above.

4. In the reference 5th read above, the Inquiring Authority submitted the report holding that the 3rd part of the charge as partially proved and the 1st & 2nd parts of the charge as not proved against Sri A.Poornachandra Rao, former Sub Registrar (Retired) among two others.

5. Government have examined the matter and directed the Deputy Inspector General, Registration & Stamps, Vijayawada to communicate the Disagreement factors along with Regular Enquiry Officer report to the Charged Officer in the reference 6th read above.

6. In the reference 8th read above, the Deputy Inspector General, Registration & Stamps, Vijayawada has forwarded the explanation of the Charged Officer to Government for taking necessary action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 since, the charged officer retired from service among two others.

7. Government have examined the matter and provisionally decided to impose the penalty of withholding of 25% cut in pension permanently against Sri A.Poornachandra Rao, Sub Registrar (Retired) for the 3rd part of the charge held partly proved against him. Accordingly, a Show Cause Notice has been issued with a direction to show cause as to why the proposed punishment should not be imposed against him under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 in the reference 12th read above. In reply, the Charged Officer has submitted representation quoting certain case laws and requested the Government to drop the proposed punishment of 25 % cut in pension and issue orders for drawal of his full pensionery benefits.

8. Government have examined the matter and imposed a punishment of 25 % cut in pension permanently on the Charged Officer Sri A.Poornachandra Rao, Sub Registrar (Retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 in the reference 17th read above.

9. In the reference 18th read above, the Charged Officer Sri A.Poornachandra Rao, former Sub Registrar (Retired) has filed a Revision petition before the Government stating that charges were framed against another two employees in the same matter and who were also a part of the enquiry and against whom also the similar charges under the similar facts and circumstances were not proved and were placed on same plane with regard to facts and circumstances and disagreement factors were also communicated to them and action against them was dropped while he was punished which is nothing but discrimination and requested the Government to consider his submissions on the report of the inquiring authority and drop further action and to exonerate him duly revising the punishment of 25% cut in pension permanently in the interest of justice.

10. Government have examined the matter and observed that out of the three involved, two of them were let off since the charges held not proved and in respect of Sri A.Poornachandra Rao, former Sub Registrar (Retired), a punishment of 25% cut in pension has been imposed in the reference 17th read above since the third part of the charge held partially proved. Therefore, Government after careful examination of the matter, have decided to reduce the earlier punishment of 25% cut in pension permanently to 10% cut in pension for a period of 5 years as the third part of the charge held partially proved against Sri A.Poornachandra Rao, former Sub Registrar (Retired).

11. The Andhra Pradesh Public Service Commission have also agreed with the proposal of the Government in the reference 19th read above (copy enclosed).

12. Therefore, Government, hereby order to impose a punishment of 10 % cut in pension for a period of five years against Sri A.Poornachandra Rao, former Sub Registrar (Retired) instead of 25% cut in pension permanently,

13. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration & Stamps, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Hyderabad
The Individual (w.e) (through the Director & Inspector General,
Registration & Stamps, Andhra Pradesh., Hyderabad with a
request to serve the order and furnish the served copy with dated
acknowledgement to Government for record).

Copy to:

The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
The Principal Secretary,
Andhra Pradesh Public Service Commission, Hyderabad.
The Deputy Inspector General, Registration & Stamps, Vijayawada,
Krishna District.
The Deputy Inspector General, Registration & Stamps,
Eluru, West Godavari District.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER